

MAINE STATE LEGISLATURE

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DATE: 3/1/06

(Filing No. H-792)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1216, L.D. 1709, Bill, "An Act To Provide for the Issuance of a Bench Warrant upon Failure To Appear for a Hearing on Nonpayment of a County Jail Reimbursement Fee"

Amend the bill in section 1 in §1341 in subsection 5 by striking out all of the blocked paragraph (page 2, lines 5 to 16 in L.D.) and inserting in its place:

'A probation officer who knows of a default in payment of a reimbursement fee by an offender shall report the default to the office of the attorney for the State or the attorney for the county. If the reimbursement fee was a condition of probation, the attorney for the State or the attorney for the county may file a motion to enforce payment of the reimbursement fee or, with the written consent of the probation officer, a motion to revoke probation under section 1205. If the reimbursement fee was not a condition of probation, the attorney for the State or the attorney for the county may file a motion to enforce payment of the reimbursement fee.'

Further amend the bill in section 1 in §1341 in subsection 6 in the 2nd line (page 2, line 19 in L.D.) by inserting after the following: "State" the following: ', the attorney for the county'

SUMMARY

The amendment inserts "attorney for the county" where appropriate in the Maine Revised Statutes, Title 17-A, section 1341, subsections 5 and 6. This change authorizes those counties

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2 that "outsource" their legal work to use private counsel instead
of the district attorney's office to handle the defaulted jail
4 reimbursement fees. The amendment also deletes ambiguous
language regarding the procedure for reporting to the court. The
6 change eliminates confusion regarding the action required of the
courts if an attorney for the State or an attorney for the county
reports a default but does not file a motion.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



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LD 1709

LR 2676(02)

**An Act To Provide for the Issuance of a Bench Warrant Upon Failure To Appear for a Hearing on
Nonpayment of a County Jail Reimbursement Fee**

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Increased costs to County Jails

Correctional and Judicial Impact Statements

Authorizes the issuance of a bench warrant for nonpayment of jail reimbursement fee. Committing offenders to the county jail for nonpayment of the fee will result in increased costs to the county jail system.